

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**MICHAEL LEWIS,**

**Plaintiff,**

**v.**

**Civil Action No.:** 3:25-cv-67-MPM-RP

**TUNICA 11562 LLC;  
TUNICA 11562 MANAGER LLC;  
GRJ, LLC;  
CORSAIR MANAGEMENT, LLC;**

**JURY TRIAL DEMANDED**

**Defendants.**

**COMPLAINT**

Plaintiff Michael Lewis submits this Complaint and jury trial demand, stating claims for Negligence; and Gross Negligence, Recklessness, and Wantonness, as against Defendants Tunica 11562 LLC, Tunica 11562 Manager LLC, GRJ, LLC, and Corsair Management, LLC, as follows:

**PARTIES, JURISDICTION, AND VENUE**

1. Plaintiff Michael Lewis is a resident of Aliceville, Alabama, and was a resident at Lexington Apartments in Tunica County, Mississippi, at the time of the incident made the basis of his complaint.
2. Defendant Tunica 11562 LLC is a Mississippi limited liability corporation that may be served with process via its Registered Agent, Corporation Service Company, at 109 Executive Drive, Suite 3, Madison, Mississippi 39110. Defendant Tunica 11562 LLC was the owner, operator, manager, agent, or other representative of Lexington Apartments in Tunica, Mississippi at the time of the incident made the basis of this complaint.
3. Defendant Tunica 11562 Manager LLC is a Mississippi limited liability corporation that

may be served with process via its Registered Agent, Corporation Service Company, at 109 Executive Drive, Suite 3, Madison, Mississippi 39110. Defendant Tunica 11562 Manager LLC was the owner, operator, manager, agent, or other representative of Lexington Apartments in Tunica, Mississippi at the time of the incident made the basis of this complaint.

4. Defendant GRJ, LLC is a New York limited liability corporation that may be served with process at 276 5th Avenue Suite 900, New York, New York 10001. Defendant GRJ, LLC was the owner, operator, manager, agent, or other representative of Lexington Apartments in Tunica, Mississippi at the time of the incident made the basis of this complaint.
5. Defendant Corsair Management LLC is a New York limited liability corporation that may be served with process at 4 East 27th Street, No. 20040, New York, New York 10001. Defendant Corsair Management LLC was the owner, operator, manager, agent, or other representative of Lexington Apartments in Tunica, Mississippi at the time of the incident made the basis of this complaint.
6. The amount in controversy, exclusive of interest and costs, exceeds seventy-five thousand dollars (\$75,000).
7. This Court has jurisdiction pursuant to 28 U.S.C. § 1332, and venue is proper in the Northern District of Mississippi, Oxford Division, as a substantial part of the events giving rise to Plaintiff's claims occurred in the district.

#### **ALLEGATIONS OF FACT**

8. At approximately 10:54 p.m. on July 5, 2023, at Lexington Apartments, 11562 Old Highway 61, Apt. 11-6, in Tunica, Mississippi, Plaintiff Michael Lewis was caused to fall from the porch balcony of the apartment.

9. Plaintiff's unexpected fall was due to the total failure of the installed safety railing, which separated from its mounting points on the masonry of both walls when it collapsed.
10. Prior to the complete failure of the balcony railing at Lexington Apartment 11-6, Plaintiff Lewis reported the loose railing to Lexington Apartment management several times.
11. The Tunica County, Mississippi Sheriff's Office responded to the incident and Plaintiff Michael Lewis was transported by helicopter to Baptist Desoto Hospital in Southaven, Mississippi.
12. Plaintiff Michael Lewis was hospitalized for approximately one week following his transport to Baptist Desoto Hospital.
13. As a result of the occurrence described above, Plaintiff Michael Lewis suffered serious personal injuries, including hematoma and damage to the vertebrae in his neck requiring surgery.

### **CAUSES OF ACTION**

#### **COUNT ONE**

##### **Negligence**

14. Plaintiff realleges and incorporates by reference the foregoing paragraphs as if set forth fully herein, and further avers that on or about the 5<sup>th</sup> day of July 2023, Tunica 11562 LLC, Tunica 11562 Manager LLC, GRJ, LLC, Corsair Management, LLC (collectively "Defendants"), wrongfully and negligently:
  - a. operated Lexington Apartments in a dangerously unsafe condition for its residents and guests;
  - b. failed to adequately maintain the premises, namely the balcony railing of Apartment 11-6, in a safe condition suitable for its intended use;
  - c. failed to adequately inspect the premises, namely the balcony railing of Apartment 11-6, for dangerous and defective conditions;

- d. failed to respond to notification from Plaintiff that the balcony railing was loose;
  - e. failed to repair the dangerously defective balcony railing of Apartment 11-6 despite its actual or constructive knowledge of its condition;
  - f. caused and/or contributed to the occurrence made the basis of this lawsuit; and
  - g. committed other such acts and omissions as will be shown through discovery and proven at the trial of this action.
15. As a direct and proximate consequence of the aforesaid wrongful and negligent conduct of Defendants, Plaintiff Michael Lewis suffered serious physical injuries to his head and neck, including hematoma and damage to the vertebrae in his neck requiring surgery.
16. As a direct and proximate consequence of Defendants' negligence, Plaintiff has been caused, and will be caused in the future, to endure physical pain and suffering as well as mental anguish;
17. Plaintiff Michael Lewis has expended, and will be caused in the future to expend, sums of money in the nature of doctor, hospital, drug and other expenses in and about an effort to treat and heal his injuries;
18. Plaintiff Michael Lewis has been permanently injured;
19. Plaintiff Michael Lewis has incurred lost wages, and will incur lost wages in the future;

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff demands judgment against Defendants for compensatory damages in an amount to which a jury determines he is entitled, plus interest, attorneys' fees, and costs.

**COUNT TWO**  
**Gross Negligence, Recklessness, Wantonness**

20. Plaintiff realleges and incorporates by reference the foregoing paragraphs as if set forth fully herein and further avers as follows:

21. The above-described conduct of Defendants was grossly negligent, willful, wanton, and reckless.
22. As a direct and proximate consequence of the aforesaid willful, wanton, and reckless conduct of Defendants, Plaintiff has been injured and damaged as set out hereinabove.

**WHEREFORE, PREMISES CONSIDERED,** Plaintiff demands judgment against Defendants for punitive damages in an amount to which a jury determines he is entitled, plus interest, attorneys' fees, and costs.

RESPECTFULLY SUBMITTED,

/s/Cooper Ellenberg

Cooper Ellenberg (MS Bar No. 104721)

*Attorney for Plaintiff*

OF COUNSEL:

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**PLAINTIFF HEREBY DEMANDS TRIAL BY JURY**

**DEFENDANTS TO BE SERVED BY CERTIFIED MAIL AS FOLLOWS:**

Tunica 11562 LLC  
c/o Corporation Service Company  
109 Executive Drive, Suite 3  
Madison, Mississippi 39110

Tunica 11562 Manager LLC  
c/o Corporation Service Company  
109 Executive Drive, Suite 3  
Madison, Mississippi 39110

GRJ, LLC  
276 5th Avenue, Suite 900  
New York, New York 10001

Corsair Management LLC  
4 East 27th Street, No. 20040  
New York, New York 10001

/s/Cooper Ellenberg  
Cooper Ellenberg (MS Bar No. 104721)  
*Attorney for Plaintiff*